



Attorney Docket No.: 9013-18

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re: Keith
Serial No. 09/601,267
Filed: August 25, 2000
For: *PROMOTER REGIONS OF THE MOUSE AND HUMAN TELOMERASE RNA
COMPONENT GENES*

Group Art Unit: 1637
Examiner: Wilder, Cynthia B.
Confirmation No. 9771

June 1, 2004

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181(a) AND STATEMENT OF SUPPORT**

Sir:

Please consider this Petition to Withdraw Holding of Abandonment under 37 C.F.R. § 1.181(a) for the above-referenced application in light of the supporting facts and statements presented below.

- (1) The present application was filed on August 25, 2000.
- (2) An Office Action was issued by the U.S. Patent and Trademark Office on February 12, 2003.
- (3) Responsive to the Office Action, Applicant filed on July 14, 2003, an Amendment; a Petition and Fee for Extension of Time; a check for \$400.00; and return receipt postcard by Express Mail, a copy is attached as Exhibit A. The return receipt postcard was received by Petitioner on July 21, 2003 indicated official receipt of the above-mentioned papers at the U.S. Patent and Trademark Office on July 14, 2004 (well within the six month response period), a copy is attached as Exhibit B.
- (4) The U.S. Patent and Trademark Office charged Petitioner's Deposit Account No. 50-0220 on July 17, 2003 in the amount of \$10 fee for Extension of Time, further indicative of receipt of the Amendment by the U.S. Patent and Trademark Office.
- (5) On January 28, 2004, a Notice of Abandonment for lack of reply to the Office Action issued, and was received at our office on February 2, 2004.

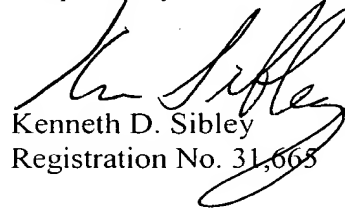
In re: Keith
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Filed: August 25, 2000
Page 2

Petitioner was unaware that a timely reply had not been received by the U.S. Patent and Trademark Office, as both the return receipt postcard and the charge to Petitioner's Deposit Account were indicative of timely receipt of response to the Office Action Mailed on February 12, 2003.

Petitioners believe that no fee is due. However, the Commissioner is authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 50-0220.

Petitioners respectively request that the above-identified application be restored to active status for at least the reasons discussed above.

Respectfully Submitted,



Kenneth D. Sibley
Registration No. 31,665

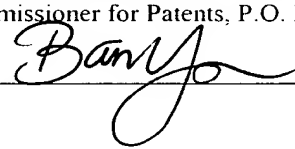
Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
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Facsimile: (919) 854-1401
Customer No. 20792

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

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Date of Deposit: **6/1/2004**

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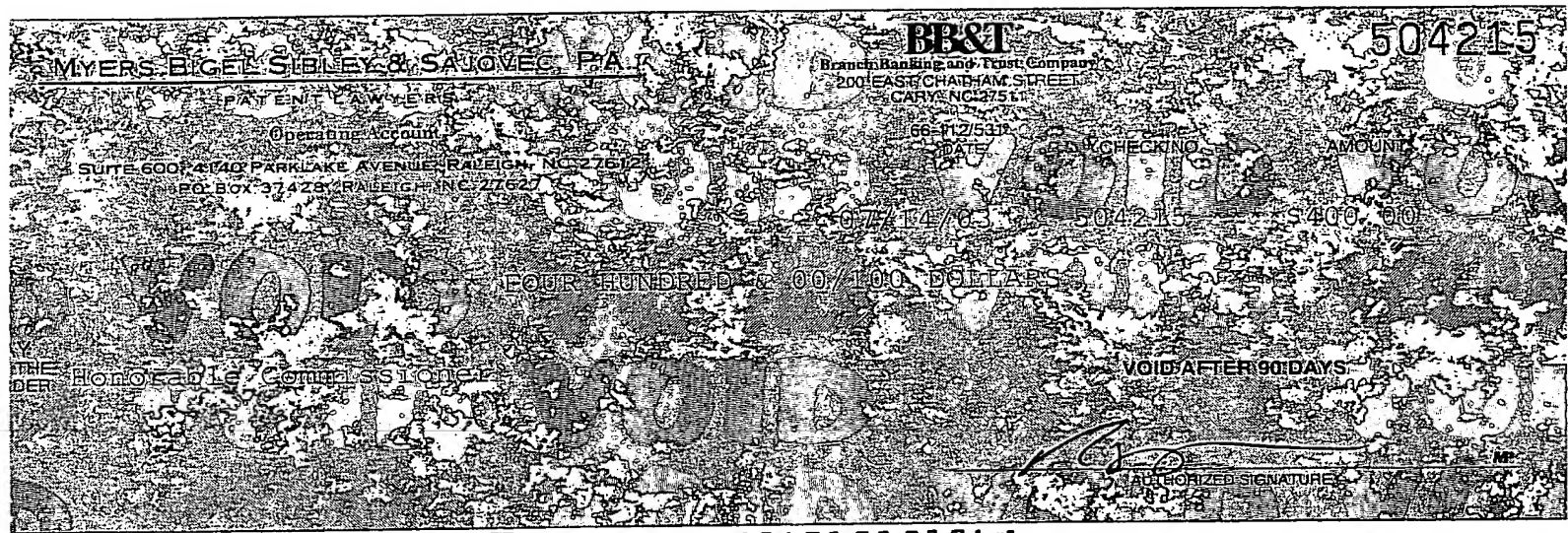
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Keith
Serial No.: 09/601,267
Filed: August 25, 2000
For:

Group Art Unit: 1637
Examiner: C. Wilder

*PROMOTER REGIONS OF THE MOUSE AND HUMAN
TELOMERASE RNA COMPONENT GENES*

JUN 7 2004
TECH CENTER 1600/2999

July 14, 2003

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME
(37 C.F.R. §1.136(a))

1. This is a petition for an extension of time for a total period of two (2) months to respond to the Office Action mailed February 12, 2003.

2. A response in connection with the matter for which this extension is requested:

☒ is filed herewith.

☐ has been filed.

3. Applicant:

☐ Claims small entity status. See 37 CFR §1.27.

☒ Does not claim small entity status.

4. Calculation of extension fee (37 C.F.R. §1.17(a)-(d)):

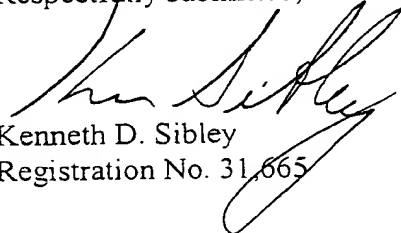
<u>Total Months Requested</u>	<u>Fee For Other Than Small Entity</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$110.00	\$55.00
<input checked="" type="checkbox"/> two months	\$400.00	\$200.00
<input type="checkbox"/> three months	\$920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00
<input type="checkbox"/> five months	\$1,960.00	\$980.00

Fee Enclosed \$400.00

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- ☒ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card (Form PTO-2038) is enclosed.
- ☒ Charge Deposit Account No. 50-0220 for any additional extension and/or fee required or credit for any excess fee paid.

Respectfully submitted,


Kenneth D. Sibley
Registration No. 31,665

Correspondence Address:



20792


PATENT TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number: EV353610090US

Date of Deposit: July 14, 2003

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Vickie Diane Prior



JUN 7 2004

TECH CENTER 1600200

9013.18/KDS:vp
July 14, 2003

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir: Kindly acknowledge receipt of the accompanying by placing your
receiving date stamp hereon and mailing:
Re: Keith; S/N 09/601,267; Filed 7/28/00

AMENDMENT; EXTENSION OF TIME; \$400 CK.
EXPRESS MAIL EV353610090US

Respectfully,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

EV353610090US

9013.18/KDS:vp
July 14, 2003

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

07-21-03 A08:35 IN

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Respectfully,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant